

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

O R D E R

Pending in this case is Plaintiff Turner's motion to compel discovery (Docket Entry No. 89) and Plaintiff's motion for extension of time to reserve the Defendants (Docket Entry No. 90). In these two related motions, Plaintiff seeks an order requiring Defendant Davidson County Sheriff's Office to produce in discovery the home addresses for Sylvia Gray, G. Thomas, and K. Cox. These three persons were named as Defendants in the complaint but summonses issued to them addressed to the Davidson County Sheriff's Office were returned unexecuted (Docket Entry Nos. 21, 22 and 23). By these two motions, Plaintiff seeks home addresses for these three individuals, and an extension of time within which to attempt to obtain service of process upon them.

Defendant Davidson County Sheriff's Office has responded in opposition on the ground that Plaintiff Turner is currently serving a very lengthy prison sentence for multiple convictions of violent offenses, and that revealing the names of these former employees of the Sheriff's Office might well subject them to the risk of personal harm. In addition, this Defendant argues that the allegations against these three individuals fail to state claims

upon which relief can be granted and are subject to the affirmative defense of qualified immunity.

By subsequent order of the Court the complaint against these three individuals has been dismissed without prejudice for Plaintiff's failure to obtain service upon them (Docket Entry No. 137). Therefore, there is currently no claim in this case against these three individuals and, therefore, the undersigned Magistrate Judge finds that these two motions should be **DENIED** as moot.

It is so ORDERED.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge